

# Equal Employment Opportunity

## Guide for Monitoring Examination Qualifications Appraisal Panel Composition



*California  
Department of  
Human  
Resources  
Office of Civil  
Rights*

# Table of Contents

Introduction .....	3
Mandate .....	3
Statement.....	3
What is a Qualifications Appraisal Panel? .....	3
What is a Diverse Panel? .....	4
How do I Monitor QAP Panel Composition? (CalHR Policy No. 1007).....	4
How do I document QAP Monitoring? .....	5
When Should I Report Monitoring Activities? .....	5
Research.....	5
Conclusion .....	6
Authorities .....	6
Resources .....	7
Policy Memo: HR Manual.....	7
Webpage.....	7
Reports.....	7
Forms .....	8
Sample A: Example QAP Member Composition Survey .....	8
Sample B: Example QAP Composition Checklist.....	10
Sample C: Sample Report Format .....	11

# Equal Employment Opportunity Officer's Guide for Monitoring Exam Qualifications Appraisal Panel Composition

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The California Department of Human Resources (CalHR) sets forth the following guidelines to:

- Inform department Equal Employment Opportunity (EEO) Officers of available resources to monitor departmental examination Qualification Appraisal Panel (QAP) composition
- Encourage department EEO Officers to evaluate department workforce composition data and incorporate collaborative strategies to alleviate occurrences of selection bias

## Introduction

Department EEO Officers are charged with an integral role in recruitment, examination and selection efforts to ensure state departments promote and effectuate diversity throughout the state's civil service system (Gov. Code section 19797). Part of that role is to identify faulty or discriminatory human resource practices/policies that result in underrepresentation of certain groups in state civil service classifications, and institute corrective measures to achieve a fair and equitable selection process. The development and administration of civil service examinations are not only designed to identify the most qualified candidates but also lessen the potential of bias and discrimination in the qualifications appraisal process.

## Mandate

Mandated by Government Code section 19795(a), all state agency EEO Officers are required to monitor the composition of oral panels in departmental examinations. A fundamental responsibility exists for state agencies to safeguard against practices that influence outcomes of oral interview examinations and to prevent discrimination against prospective candidates. When selecting panel members, consideration shall be given to individuals who represent the diversity of the state civil service workforce. (Cal. Code Regs. §195)

## Statement

Each state agency's EEO Officer is responsible to conduct monitoring and evaluation of all Qualifications Appraisal Panels (QAP). Should any issues of concern be identified, the EEO Officer shall make recommendations to the appointing power in order to bring the QAP process into compliance with department and state EEO goals.

## What is a Qualifications Appraisal Panel?

California Code of Regulations section 80.4 defines a qualifications appraisal interview to mean "a *civil service examination* that is given as an oral examination or oral interview by a Qualifications Appraisal Panel." (Emphasis added.) For purposes of these guidelines, QAP pertains to the examination administration process only.

A QAP interview is a type of examination format used to establish a candidate's list eligibility for hiring purposes.

The QAP panel is a group of qualified individuals (no less than two) that conducts civil service oral examinations in an interview-type setting. QAPs are guided by a certified Chairperson who oversees the administration process. Much like hiring interviews, panel members ask candidates predetermined, job-related questions sufficient to fairly test and determine qualifications and abilities of competitors. The QAP interview is recorded. Candidate responses are documented and scored by the panel. Candidates that receive a score of 70% or higher are ranked and placed on an eligibility list used for hiring. Candidates of Career Executive Assignment examinations may be tested by QAP and appointed based on successful results of the interview.

*Note: While the mandate only applies to examination panel composition, departments are encouraged to create best practices to monitor and evaluate the effectiveness of hiring interview panels as well.*

## **What is a Diverse Panel?**

A diverse QAP panel typifies the range of individuals that represent the unique cultural differences, life experiences, backgrounds, and workplace competencies throughout the state's workforce. Departments are encouraged to plan QAP panels that embody the state's diversity at all levels and support the power and creativity brought about by such a wide-ranging labor force. (Cal. Code Regs. §195)

Diverse panels promote the state's mission to provide equal employment opportunity to potential examination candidates and reduce the risk of unconscious biases or discrimination in pre-employment decision-making. When assembling a QAP panel, examination/selections staff should take steps to ensure a well-balanced group of individuals who reflect the diversity of our state's civil service workforce and possess an expertise level sufficient to examine potential candidates.

Examples of diversity include, but are not limited to:

- Age/Generational groups
- Gender
- Race/Ethnicity
- Disability
- Various program areas using the classification being tested

Where feasible, the department's EEO Officer and the Examination Unit should collaborate to evaluate diversity prior to establishing the QAP panel.

## **How do I Monitor QAP Panel Composition? (CalHR Policy No. 1007)**

The following is a shortened summary of how to monitor QAP panels. For the complete and detailed application of QAP panel monitoring, refer to CalHR Policy No. 1007:

- ✓ Obtain and review the examination plan and workforce demographics for the classification(s) tested and evaluate existing data to determine if an issue of underutilization exists for the classification.
- ✓ The examination plan is obtained from your department's Human Resources office. Workforce demographic reports can be found on CalHR's [website](#). For any classification in which underutilization is identified, notify the Personnel Officer prior to the planning of further examination administration by QAP.
- ✓ Obtain each QAP panel composition from your department's Examination Unit or Human Resources office and evaluate for diversity. If a panel lacks diversity, EEO officers should ascertain from the Examination Unit what steps were taken and/or consideration given to address the panel's diversity.
- ✓ Report findings of each QAP conducted in writing to the department Director and Human Resources Officer, at minimum. Should the report identify issues of concern, the EEO Officer shall make recommendations in order to bring the QAP process into compliance with department and state EEO goals.

### **How do I document QAP Monitoring?**

Departments may use the *sample report format* (Sample C) to document and report findings of oral examination panel composition or utilize their own process. When using their own process, departments are required to report on the subject areas contained within the *sample format*, and ensure they are appropriately captured and addressed.

### **When Should I Report Monitoring Activities?**

At the conclusion of the Fiscal Year (FY), **but no later than August 1**, the EEO Officer prepares a report of findings for each QAP conducted in the course of the FY concerning its composition.

### **Research**

As EEO Officers review the department's annual examination plan and workforce demographic composition of each classification tested by QAP each FY, they may find the following tools helpful in understanding the examination administration schedule, the organization's workforce make up and underutilizations of any protected group:

- *Departmental Annual Examination Plan* - A schedule of upcoming examinations that will be administered by a department during a calendar or fiscal year, including QAP.
- *Departmental Annual Workforce Analysis Report* - The Annual Workforce Analysis report allows identification of non-job related barriers that may contribute to discriminatory hiring practices associated with particular groups. The analysis also includes goal-setting to improve representation of persons with disabilities and ensure upward mobility for civil service employees who are qualified to move from low-paying positions into entry-level technical, professional or administrative positions.
- *Utilization Analysis Report* -The Utilization Analysis Report compares statistically significant underutilizations of race/ethnicity, and gender by occupational groups to state civil service classifications, and identifies significant deficiencies within the organization's workforce.

The data helps departments gain an understanding of the race/ethnicity and gender make-up of the classification used in the department and to identify any underutilizations.

- *Bottom Line Hiring Report* - The Bottom Line Hiring Report is a tool used to determine if any phase of the examination process has an adverse impact on hiring or promotion of members of any race/ethnicity, gender, or persons with disabilities. The Bottom Line Hiring Report will assist the EEO Officer with determining if any adverse impact to a particular group exists at any phase of the examination process. The EEO Officer obtains a copy of the Bottom Line Hiring Report from the Examination Manager at the conclusion of the examination administration.
- *Management Information Retrieval System (MIRS)* - MIRS is a reporting system maintained by the State Controller's Office and is used by departmental Human Resources (HR) staff to generate various reports related to employment history, position inventory, and certain employee demographic information. The EEO Officer may request HR staff to generate a MIRS report to identify QAP panel members' ethnicity/race and gender.

## Conclusion

Communication and consistency are key to successful departmental monitoring practices. CalHR recommends department EEO Offices collaborate with Examination Units to develop a review timeline that allows sufficient opportunity to establish well-planned QAP panels.

These guidelines include a checklist (Sample B) to guide EEO Officers through the process of research, monitoring and documentation along with a sample reporting format (Sample C) that can be used for documentation purposes. Additional resources are included to help departments review and verify panel composition as well as to survey demographics of QAP panels (Sample A). Use of the forms is not required.

Questions may be directed to CalHR's Statewide Equal Employment Opportunity Programs Manager at [civilrights@calhr.ca.gov](mailto:civilrights@calhr.ca.gov).

## Authorities

Government Code section 18502: Department of Human Resources vested authority

Government Code section 18661: State Personnel Board Compliance Review Authority

Government Code section 18701: State Personnel Board shall prescribe rules

Government Code section 18930: Examinations shall be competitive

Government Code section 19791: EEO means ensuring nondiscrimination and providing equal access to state jobs

Government Code section 19795(a): EEO Officer Responsibility to Monitor QAP

Government Code section 19797: Each department shall develop an EEO plan

Government Code section 18661: State Personnel Board Compliance Review Authority

Government Code sections 19680, 19681 and 19682: Breach in examination security

2 California Code of Regulations section 80.4: Qualification Appraisal Interview

2 California Code of Regulations section 194: Rating by Interview

2 California Code of Regulations 195: Composition of Qualifications Appraisal Panels

2 California Code of Regulations section 195.1: Conduct of Interviews

2 California Code of Regulations 174.6: Compilation of Ethnic, Sex and Disability Information

2 California Code of Regulations 174.7: Use of Ethnic, Sex and Disability Information

## Resources

### Policy Memo: HR Manual

- [1001 – Equal Employment Opportunity \(EEO\) Officer Role](#)
- 1007 – Monitoring Qualifications Appraisal Panel Composition

### Webpage

### Reports

[Department Demographic Reports by Department](#)

## Forms

Sample A: Example QAP Member Composition Survey

<Department>

### QUALIFICATION APPRAISAL PANEL MEMBER COMPOSITION REQUEST FOR CONFIDENTIAL INFORMATION SURVEY

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**Panel Number:**

**Exam Code:**

**Class Code:**

**Classification Title:**

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**Exam Date:**

**To Chairpersons and Panel Members:** Government Codes section 19792 provides the authority for the California Department of Human Resources (CalHR) to collect ethnic and other information for the purposes of evaluating the provisions of equal employment opportunity within the state civil service. This authority is extended to departments who have delegated examination authority.

**Instruction:** All exam panel members are requested to voluntarily self-identify their age, disability, ethnicity/race, and gender in order to monitor and evaluate the provision of equal employment opportunity. The information collected will not be associated with any personal identifying information such as your name or position number, and will remain confidential with the Equal Employment Opportunity Officer.

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**Age Group:**

- ☐ Under 21    ☐ 21-29    ☐ 30-39    ☐ 40-49    ☐ 50-59    ☐ 60-69  
☐ 70 and over

**Disability:** I have a disability.\* See description on the reverse.

- ☐ Yes    ☐ No

**Ethnicity/Race:**

- ☐ African American or Black  
☐ American Indian or Alaska Native  
☐ Asian: Multiple Asian, Cambodian, Chinese, Filipino, Indian, Japanese, Korean, Laotian, Vietnamese, Other Asian  
☐ Hispanic or Latino: Alone or in combination with any other race  
☐ Pacific Islander: Multiple Pacific Islander, Guamanian, Hawaiian, Samoan, Other Pacific Islander  
☐ White  
☐ Multiple Races: Non-Hispanic or Latino

**Gender:**

- ☐ Female    ☐ Male

EEO Officer Review

I have reviewed the information provided above.

EEO Officer signature: \_\_\_\_\_ Date: \_\_\_\_\_



Disability Description:\*

Disability is described as a physical or mental impairment or medical condition that limits a major life activity. An impairment or condition is considered a disability even if it is episodic or in remission if it would limit a major life activity when active. Additionally, an impairment or condition may be considered a disability even if mitigating measure such as medication, assistive devices, prosthetics, or other accommodations eliminates or reduces the symptoms or impact of an impairment.

**Examples may include, but are not limited to:**

Deafness or serious difficulty hearing.

Blindness or serious difficulty seeing even when wearing glasses.

Difficulty reading or driving without corrective lenses, or a limited field of vision.

Serious difficulty concentrating, remembering, or making decisions because of a physical, mental, or emotional condition.

Serious difficulty walking or climbing stairs.

Difficulty dressing or bathing.

Difficulty doing errands alone, such as visiting a doctor's office or shopping, because of a physical, mental, or emotional condition.

## Sample B: Example QAP Composition Checklist

### **Qualifications Appraisal Panel Composition Checklist**

(For EEO Office Use Only)

EEO Officers may use this form to ensure QAP composition is monitored per Government Code section 19795(a).

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#### **SECTION 1 – COLLABORATION**

- ☐ Examination Manager provides EEO Office with the department's Annual Examination Plan
- ☐ EEO Office provides Examination Unit and Workforce Planning and Recruitment Unit with Underutilization Analysis Report that identifies classifications with significant underrepresentation by race/ethnicity, gender
- ☐ EEO Officer provides Examination Unit, Workforce Planning and Recruitment Unit with the annual Workforce Analysis report (CalHR Form WFA03) that identifies significant underrepresentation of persons with disabilities by major occupational group
- ☐ EEO, Examination, and Workforce Planning and Recruitment staff collaborate to develop a strategy and plan to mitigate identified workforce underrepresentation through broad and inclusive recruitment efforts as well as focused recruitment where appropriate.

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#### **SECTION 2 – RESEARCH WORKFORCE UNDERREPRESENTATION**

- ☐ Review the department's current workforce composition:
  - ☐ Examine the Utilization Analysis Report that compares significant underutilizations of race/ethnicity, and gender by occupational groups to civil service classifications
  - ☐ Examine the department's annual Workforce Analysis related to persons with disabilities representation (CalHR Form WFA03) by occupational group used within the department
- ☐ Examine the department's Annual Exam Plan:
  - ☐ Identify exam classifications with significant underutilizations by race/ethnicity and gender identified in the Utilization Analysis Report
  - ☐ Identify exam classifications within certain occupational groups that have significant underrepresentation of persons with disabilities identified in the current annual Workforce Analysis

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#### **SECTION 3 – MONITOR**

- ☐ Review Annual Exam Plan
- ☐ Review QAP examination panel composition
- ☐ Review department's workforce demographic composition for race/ethnicity, gender, and disability
- ☐ Review Chairperson list
- ☐ Review the Bottom-Line Hiring Report

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#### **SECTION 4 – DOCUMENT**

- ☐ Monitor panel composition outcomes
- ☐ Recommendations provided and addressed
- ☐ Recommendations for future exam planning
- ☐ Send verification form to Examination Unit

## Sample C: Sample Report Format

<Use department memorandum template>

Date:

To:

From:

Subject: Report of QAP Panel Composition – FY 2017/18

All state agency Equal Employment Opportunity Officers are required by Government Code section 19795(a) to monitor the composition of departmental oral examination panels. I completed an analysis of all CalHR Qualifications Appraisal Panel (QAP) compositions for oral examinations conducted in FY 2017/2018.

### Background:

*Background should describe all research conducted based on Government Code Section 19795(a), identify QAP Policy # and relevant information/reports obtained from Human Resources Office or any other relevant source (including Examination Unit)*

Example: Based upon Gov. Code. Section 19795(a) and CalHR Policy Number #, I reviewed our department's Utilization Analysis report, Bottom Line Hiring report and Workforce Analysis to compile findings regarding CalHR's oral panel examination compositions.

### Identified Panel Compositions:

QAP Examination Classification Title	Date of Examination	Description of Panel Composition	Composition was/was not Diverse
1. Accountant II	1/1/2017	1 Hispanic male over 40, 1 Native American male, 2 Asian females, 1 over 40 and 1 with a disability	Diverse
2. Firefighter	2/1/2017	4 white males	Panel was not Diverse – see analysis
3.			
4.			

### Relevant Data Analysis:

*Provide a statement regarding the relevant data reviewed and findings.*

*Analysis should state any underutilization history and provide an explanation if a panel does not include representation of a group for which focused outreach was conducted or in which the panel does not include groups that are significantly underutilized as identified in the workforce analysis. Where panel composition is not diverse, analysis should include justification.*

Example:

The Utilization Analysis report reveals that there is an underutilization in Classifications 1 and 2 above in the area of white males.

- Panel 1 is sufficiently diverse.
- Panel 2 lacked diversity and this lack of diversity did not positively affect the underutilization statistics. The feeder classifications for this particular classification are (identified classification(s).) I reviewed the feeder class data to the Firefighter classification, and found no underutilization in these classifications. Efforts were made by the Examination unit to use female Subject Matter Experts and/or more diverse pool of panel members, however none were located for this particular examination administration. Efforts were made to include a Person with a Disability (PWD) on the panel, however no panel members self-disclosed a disability. Our department is over parity at 21.0%, thus this would not adversely affect the department's parity numbers.

## **Conclusion**

*Summarize and document conclusions and/or recommendations*

## **Recommendations**

*Summarize recommendations to correct or mitigate further occurrences where panels are not diverse.*